

Message

From: John Mays [jmays@powertechuranium.com]
Sent: 4/16/2018 10:09:32 PM
To: Robinson, Valois [Robinson.Valois@epa.gov]
Subject: Re: Follow-up Discussion - list of documents - please check this list of documents I have compiled
Attachments: ML16202A050ML16202A142.pdf; ML16202A050ML16202A158.pdf; ML16202A050ML16202A174.pdf

Valois,

Please see the attached Dewey-Burdock License, amendment 1 from 2016... approval of financial assurance and two other issues were resolved. Just want to make sure you are working from the latest version.

Please see some excerpts from LC 9.2 and LC 9.4 (c) and LC 12.1 which may be helpful. The Environmental Report (ER) is found under several files under ML091200014...I count at least 10 files related to main text of the ER. There are 64 total files in the packet which also includes the Technical Report (TR, and other part of the application). ML092870160 is a packet with the re-submittal and supplement to both the TR and ER. Yes the commitments in the ER are license conditions according to LC 9.2.

LC 9.2 The licensee shall conduct operations in accordance with the commitments, representations, and statements contained in the license application dated February 28, 2009 (Accession No. ML091200014), which is supplemented by the submittals dated August 10, 2009 (Accession No. ML092870160); June 28, 2011 (Accession No. ML112071064); February 27, 2012 (Accession No. ML120620195); April 11, 2012 (Accession No. ML121030013); June 13, 2012 (Accession No. ML12173A038); June 27, 2012 (Accession No. ML12179A534); October 19, 2012 (Accession No. ML12305A056); July 3, 2014 (Accession No. ML14191A034); and September 25, 2014 (Accession No. ML14295A299).....

LC 9.4 Change, Test, and Experiment License Condition (c) Additionally, the licensee must obtain a license amendment unless the change, test, or experiment is consistent with the NRC staff's previous conclusions, or the basis of or analysis leading to those conclusions, regarding actions, designs, or design configurations analyzed and selected in the site or facility SER, TER, and EIS or EA. This includes all supplements and amendments to the license, as well as all SERs, TERs, EAs, and EISs associated with amendments to this license.

Note that the Dewey-Burdock FSEIS goes into length on mitigation measures for wildlife protection. Please see FSEIS Sections 3.6, 4.6, 6.2-6.3, 5.6 and 7.4.

<https://www.nrc.gov/docs/ML1402/ML14024A477.pdf>

<https://www.nrc.gov/docs/ML1402/ML14024A478.pdf>

LC 12.1 Prior to commencement of operations in any production area, the licensee shall obtain all necessary permits, licenses, and approvals from the appropriate regulatory authorities. The licensee shall also submit a copy of all permits for its Class III and Class V underground injection wells to the NRC.

As you may know, there are specific wildlife conditions prepared in coordination with SD GFP within the proposed conditions prepared by DENR staff. Please see the follow link from SD DENR's website [DENR Recommendation and Permit Conditions](#) page 6.

Yes the documents you reference appear to be the same as the descriptions you have provided.

Thanks,

John



John M. Mays

Chief Operating Officer

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From: "Shea, Valois" <Shea.Valois@epa.gov>

Date: Thursday, April 12, 2018 at 5:18 PM

To: John Mays <jmays@powertechuranium.com>

Subject: RE: Follow-up Discussion - list of documents - please check this list of documents I have compiled

Hi John,

I have now had a chance to compile the list of documents. I already had the info through Feb 27, 2012 and reviewed it a few years ago. My recent review focused on mitigation measures.

Under the August 10, 2009 documents, there is the Environmental Report divided into 3 files. It looks like it is all dated Feb 2009. Are there any updated pages to that ER more recent than the original Feb 2009 version? If so, I can search through it looking for the updated pages. Since the ER is included in

the list of documents under Accession No. ML092870160, can I assume the commitments in the ER are also license requirements?

I would just like to be sure I found all the documents under these accession numbers.

April 11, 2012 (Accession No. ML121030013) - I have a one-page email from Richard Blubaugh to Ron Burrows and Steve Cohen explaining the measurement method for ORP

June 13, 2012 (Accession No. ML12173A038) - I have a 151 page document with additional meteorological data that is an addendum to TR RAI 2.5-1(c)

June 27, 2012 (Accession No. ML12179A534) - I have a 4 page email from Richard Blubaugh which is a revised response to TR RAI 5.7.8-3(b)

October 19, 2012 (Accession No. ML12305A056) - I have a 22 page letter to Ron Burrows containing a supplemental sampling plan and response to comments on draft license conditions & Aug 30, 2012 public meeting

Does that sound right?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
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1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: John Mays [<mailto:jmays@powertechuranium.com>]

Sent: Wednesday, April 11, 2018 9:41 AM

To: Shea, Valois <Shea.Valois@epa.gov>

Cc: Minter, Douglas <Minter.Douglas@epa.gov>

Subject: Re: Follow-up Discussion - list of documents

Valois,

Sound good. Yes you are correct. Everything submitted and listed here is a license requirement. Please let me know if you need any further assistance with these documents as we know them pretty well, but in all it can be a lot of pages.

End of next week sounds good for a list of topics.

Thanks.

John



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From: "Shea, Valois" <Shea.Valois@epa.gov>

Date: Tuesday, April 10, 2018 at 3:13 PM

To: John Mays <jmays@powertechuranium.com>

Cc: "Minter, Douglas" <Minter.Douglas@epa.gov>

Subject: RE: Follow-up Discussion - list of documents

Hi John,

While I was reviewing the license-related documents, I think I found the list of documents the NRC considers to be part of the license application in the Safety Evaluation Report, Appendix A:

From Safety Evaluation Report, APPENDIX A, STANDARD LICENSE CONDITIONS

Administrative Condition 9.2

The licensee shall conduct operations in accordance with the commitments, representations, and statements contained in the license application dated

1. <!--[if !supportLists]--><!--[endif]-->February 28, 2009 (Accession No. ML091200014), which is supplemented by the submittals dated
2. <!--[if !supportLists]--><!--[endif]-->August 10, 2009 (Accession No. ML092870160);
3. <!--[if !supportLists]--><!--[endif]-->June 28, 2011 (Accession No. ML112071064);
4. <!--[if !supportLists]--><!--[endif]-->February 27, 2012 (Accession No. ML120620195);
5. <!--[if !supportLists]--><!--[endif]-->April 11, 2012 (Accession No. ML121030013);
6. <!--[if !supportLists]--><!--[endif]-->June 13, 2012 (Accession No. ML12173A038);
7. <!--[if !supportLists]--><!--[endif]-->June 27, 2012 (Accession No. ML12179A534); and
8. <!--[if !supportLists]--><!--[endif]-->October 19, 2012 (Accession No. ML12305A056).

The approved application and supplements are, hereby, incorporated by reference, except where superseded by specific conditions in this license. The licensee must maintain at least one copy of its complete, updated, and approved license application at the licensed facility. Unless otherwise specified, all references to the "license application" refer to the current, updated application including updates made per License Condition (LC) 9.4.

Whenever the words "will" or "shall" are used in the above referenced documents, it shall denote a requirement.

I would like to take some time to finish reviewing these documents to identify wildlife mitigation measures and mitigation measures related to the EPA cumulative effects analysis. I propose contacting you by the end of next week with a list of topics for our next call.

Thanks!

Valois

Valois Shea

U.S. EPA Region 8

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Email: shea.valois@epa.gov

From: John Mays [<mailto:jmays@powertechuranium.com>]

Sent: Monday, April 9, 2018 6:03 PM

To: Shea, Valois <Shea.Valois@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>

Cc: Blake Steele <blake@azargaresources.com>

Subject: Re: Followup Discussion

Valois,

Yes, glad to review your list and supplement with anything that is available.

Thanks.

John



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From: "Shea, Valois" <Shea.Valois@epa.gov>

Date: Monday, April 9, 2018 at 3:44 PM

To: John Mays <jmays@powertechuranium.com>, "Minter, Douglas" <Minter.Douglas@epa.gov>

Cc: Blake Steele <blake@azargaresources.com>

Subject: RE: Followup Discussion

Hi John,

I don't really have an answer yet. I have been reviewing the difference groups of documents related to the NRC license application. I am almost finished with that review. I started this review after our last call when you mentioned that the NRC license application had requirements related to mitigation measures for wildlife protection.

I would like to give you the list of documents I have located so you could let me know if there are any that I haven't identified.

I will email that list to you tomorrow. Does that work for you?

Thanks!

Valois

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From: John Mays [<mailto:jmays@powertechuranium.com>]

Sent: Monday, April 9, 2018 3:38 PM

To: Minter, Douglas <Minter.Douglas@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>

Cc: Blake Steele <blake@azargaresources.com>

Subject: Re: Followup Discussion

Douglas and Valois,

Reaching out to you again about when we can schedule the next meeting to discuss the draft permit. Didn't see any response to the below.

Please let us know when we can possibly schedule something.

Thanks.

John



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From: John Mays <jmays@powertechuranium.com>

Date: Sunday, April 1, 2018 at 8:02 AM

To: "Minter, Douglas" <Minter.Douglas@epa.gov>, "Shea, Valois" <Shea.Valois@epa.gov>

Cc: Blake Steele <blake@azargaresources.com>

Subject: Re: Followup Discussion

Doug and Valois,

Just including Blake.

Thanks.

John



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From: John Mays <jmays@powertechuranium.com>

Date: Sunday, April 1, 2018 at 6:56 AM

To: "Minter, Douglas" <Minter.Douglas@epa.gov>, "Shea, Valois" <Shea.Valois@epa.gov>

Subject: Followup Discussion

Doug and Valois,

Last time we spoke we discussed scheduling a follow up meeting some time at the end of March. Just wanted to follow up to see if you are ready to schedule another discussion.

Thanks,

John



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